

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

FRED REEVES,

Plaintiff,

v.

Case No. 2:05-cv-169

HON. RICHARD ALAN ENSLEN

SANDRA MONROE, et al.,

Defendants.

**ORDER DENYING APPEAL
OF MAGISTRATE JUDGE'S ORDER**

Plaintiff has filed objections to an order issued by Magistrate Judge Greeley on August 16, 2007. The Magistrate Judge's order denied Plaintiff's motion to compel discovery. The Court will consider Plaintiff's objections as an appeal of an order issued by the Magistrate Judge. Plaintiff asserts that he needs an attorney to access the requested documents.

A magistrate judge's resolution of a non-dispositive pretrial matter should be modified or set aside on appeal only if it is clearly erroneous or contrary to law. 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a). A finding is clearly erroneous when, although there is evidence to support it, the reviewing court is left with a definite and firm conviction that a mistake has been committed. *United States v. Gypsum Co.*, 333 U.S. 364, 395 (1948). Plaintiff alleges he has sent document requests to Defendants on seven occasions since March 6, 2006. Defendants have produced documents and generally complied with each request, although Defendants have objected to certain requests that are overly burdensome, involve a security concern, or are not relevant to Plaintiff's claims. Plaintiff maintains that Defendants' objections were improper, although he does not cite any specific discovery request. A review of Defendants' compliance with discovery requests, including objections, reveals that Plaintiff has been able to obtain a substantial amount of

discovery information. Plaintiff has failed to establish that defendants improperly answered any specific discovery request. Upon review of the order, the Court finds no error. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Objections (Dkt. No. 302) are **DENIED**, and the August 16, 2007 Order (Dkt. No. 296) is **AFFIRMED**.

DATED in Kalamazoo, MI:
September 11, 2007

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE